

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

JAMES F. CAMPENELLA

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: **CRIMINAL NO. 07-431-02**
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O R D E R

AND NOW, this 31st day of August 2011, upon consideration of defendant James F. Campenella's Motion to Vacate Conviction and Set Aside Sentence (Document No. 62, filed May 5, 2011); the Government's Response to Defendant's Motion to Vacate Conviction and Set Aside Sentence (Document No. 64, filed May 24, 2011); Defendant James Lynch's Reply in Support of Motion to Vacate (Document No. 67, filed June 12, 2011); for the reasons set forth in the Memorandum dated August 31, 2011, **IT IS ORDERED** as follows:

1. Defendant James Campenella's Motion to Vacate Conviction and Set Aside Sentence under 28 U.S.C. § 2255 is **GRANTED**;
2. Defendant James Campenella's conviction and sentence are **VACATED** and **SET ASIDE**; and
3. The Government shall **REPAY** to Defendant James Campenella all sums paid by the said defendant on account of his fine and special assessment within 90 days of the date of this Order.

BY THE COURT:

/s/ Hon. Jan E. DuBois _____
JAN E. DUBOIS, J.